

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

CASE NO.: 4:24-cv-03330

ALEXANDER L. WILD,

Plaintiff,

v.

FULL SCOPE SERVICES, LLC and E PEST
SOLUTIONS, INC.,

Defendants.

COMPLAINT FOR COPYRIGHT INFRINGEMENT

(INJUNCTIVE RELIEF DEMANDED)

Plaintiff ALEXANDER L. WILD by and through his undersigned counsel, brings this Complaint against Defendants FULL SCOPE SERVICES, LLC and E PEST SOLUTIONS, INC. for damages and injunctive relief, and in support thereof states as follows:

SUMMARY OF THE ACTION

1. Plaintiff ALEXANDER L. WILD (“Wild”) brings this action for violations of exclusive rights under the Copyright Act, 17 U.S.C. § 106, to copy and distribute Wild's original copyrighted Work of authorship.

2. Wild is a Texas-based biologist who started photographing insects in 2002 as an aesthetic complement to his scientific work on ant taxonomy and evolution. He holds a Ph.D. in Entomology from The University of California/Davis and is Curator of Entomology at The University of Texas at Austin. His photographs appear in numerous natural history museums, magazines, books, television programs, and other media. Wild has been published in BBC Wildlife, New York Times, Washington Post, National Geographic, among others.

3. Defendant FULL SCOPE SERVICES, LLC (“FullScope”) is a professional pest control company founded in 2018, which services Kingwood, Atascocita, Humble, Splendora, New Caney, Porter and surrounding areas. At all times relevant herein, FullScope operated the internet website located at the internet URL www.fullscopepestcontrol.com (the “Website”).

4. Defendant E PEST SOLUTIONS, INC. (“E-Pest”) is the owner and registrant of the Website.

5. Defendants FullScope and E-Pest are collectively referred to herein as “Defendants”.

6. Wild alleges that Defendants copied Wild’s copyrighted Work from the internet in order to advertise, market and promote their business activities. Defendants committed the violations alleged in connection with Defendants’ business for purposes of advertising and promoting sales to the public in the course and scope of the Defendants’ business.

JURISDICTION AND VENUE

7. This is an action arising under the Copyright Act, 17 U.S.C. § 501.

8. This Court has subject matter jurisdiction over these claims pursuant to 28 U.S.C. §§ 1331, 1338(a).

9. Defendants are subject to personal jurisdiction in Texas.

10. Venue is proper in this district under 28 U.S.C. § 1391(b) and (c) and 1400(a) because the events giving rise to the claims occurred in this district, Defendants engaged in infringement in this district, Defendants reside in this district, and Defendants are subject to personal jurisdiction in this district.

DEFENDANTS

11. Full Scope Services, LLC is a Texas Limited Liability Company, with its principal place of business at 17392 Northcrest Circle, New Caney, Texas, 77357-4710, and can be served by serving its Registered Agent, Derek Jon Salazar, at the same address.

12. E Pest Solutions, Inc. is a Texas Corporation, with its principal place of business at 24535 Morgan Cemetery Road, Cleveland, Texas, 77328-7274, and can be served by serving its Registered Agent, Julie Brewer, 12825 Royal Ascot Drive, Fort Worth, Texas 76244-7276.

THE COPYRIGHTED WORK AT ISSUE

13. In 2008, Wild created the photograph entitled “camponotusRSA1,” which is shown below and referred to herein as the “Work”.



14. Wild registered the Work with the Register of Copyrights on January 1, 2009 as part of a group registration. The Group Registration was assigned registration number VAu 979-301. The Certificate of Registration is attached hereto as **Exhibit 1**.

15. At all relevant times Wild was the owner of the copyrighted Work at issue in this case.

INFRINGEMENT BY DEFENDANTS

16. Defendants have never been licensed to use the Work at issue in this action for any purpose.

17. On a date after the Work at issue in this action was created, but prior to the filing of this action, Defendants copied the Work.

18. On or about December 12, 2022, Wild discovered the unauthorized use of his Work on the Website on their “Carpenter Ants Control” page.

19. Defendants copied Wild's copyrighted Work without Wild's permission.

20. After Defendants copied the Work, they made further copies and distributed the Work on the internet to promote the sale of goods and services as part of their pest control business.

21. Defendants copied and distributed Wild's copyrighted Work in connection with Defendants' business for purposes of advertising and promoting Defendants' business, and in the course and scope of advertising and selling products and services.

22. Wild's Work is protected by copyright but is not otherwise confidential, proprietary, or trade secrets.

23. Defendants committed copyright infringement of the Work as evidenced by the documents attached hereto as **Exhibit 2**.

24. Wild never gave Defendants permission or authority to copy, distribute or display the Work at issue in this case.

25. Wild notified Defendants of the allegations set forth herein on July 11, 2024 and July 29, 2024. To date, the parties have failed to resolve this matter.

COUNT I
COPYRIGHT INFRINGEMENT

26. Wild incorporates the allegations of paragraphs 1 through 25 of this Complaint as if fully set forth herein.

27. Wild owns a valid copyright in the Work at issue in this case.

28. Wild registered the Work at issue in this case with the Register of Copyrights pursuant to 17 U.S.C. § 411(a).

29. Defendants copied, displayed, and distributed the Work at issue in this case and made derivatives of the Work without Wild's authorization in violation of 17 U.S.C. § 501.

30. Defendants performed the acts alleged in the course and scope of its business activities.

31. Defendants' acts were willful.

32. Wild has been damaged.

33. The harm caused to Wild has been irreparable.

WHEREFORE, the Plaintiff ALEXANDER L. WILD prays for judgment against the Defendants FULL SCOPE SERVICES, LLC AND E PEST SOLUTIONS, INC. that:

a. Defendants and their officers, agents, servants, employees, affiliated entities, and all of those in active concert with them, be preliminarily and permanently enjoined from committing the acts alleged herein in violation of 17 U.S.C. § 501;

b. Defendants be required to pay Wild his actual damages and Defendants' profits attributable to the infringement, or, at Wild's election, statutory damages, as provided in 17 U.S.C. § 504

- c. Wild be awarded his attorneys' fees and costs of suit under the applicable statutes sued upon;
- d. Wild be awarded pre- and post-judgment interest; and
- e. Wild be awarded such other and further relief as the Court deems just and proper.

JURY DEMAND

Wild hereby demands a trial by jury of all issues so triable.

Dated: September 6, 2024

Respectfully submitted,

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